

**Senate Environment, Conservation & Tourism Committee Amendment No. 2**

**Amendment No. 2 to SB3074**

**Ramsey**  
**Signature of Sponsor**

<b>FILED</b>
Date _____
Time _____
Clerk _____
Comm. Amdt. _____
_____

**AMEND Senate Bill No. 3074**

**House Bill No. 3002\***

by deleting Section 5 of Senate Environment, Conservation and Tourism Committee  
Amendment No. 1 and by substituting instead the following:

**SECTION 5. (a) All persons or entities:**

(1) Which have been granted powers by the state of Tennessee to  
acquire water, water rights and associated property by eminent domain or  
condemnation; or

(2) Which acquire or supply water for the use or benefit of public water  
supply systems as defined in Title 68, Chapter 221, Section 703,

shall, when proposing a new or increased withdrawal of surface water or ground water  
for the purpose of transferring and/or diverting some or all of it between river basins  
either directly or through one (1) or more intermediaries, first apply for and obtain a  
permit from the commissioner of environment and conservation, or his or her designee,  
prior to such diversion or transfer; provided, however, that in the case of ground water  
withdrawal this section shall only apply if the loss of the ground water has a significant  
potential to adversely affect the flow of a Tennessee surface water. For purposes of  
determining the amount of an existing inter-basin transfer under this section, it is the  
average daily amount calculated for the highest continuous 90-day period between  
January 1, 1997 and December 31, 1999. Provided, however, nothing whatsoever in  
this section shall apply to existing withdrawals by entities described above except that  
such persons or entities shall be subject to this section when proposing

(1) to increase the amount of water withdrawn; or

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(2) to locate a new intake for withdrawal, when some or all of the water  
will be transferred to a different river basin.

(b) All persons or entities that are issued a permit under subsection (a) shall operate the  
withdrawal activity in accordance with all terms and conditions of the permit.